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7 Attorneys for Defendant  
 8 ADT Security Services, Inc.

9  
 10 **UNITED STATES DISTRICT COURT**  
 11  
 12 **NORTHERN DISTRICT OF CALIFORNIA**

13 People of the State of California,  
 14 Plaintiff,  
 15 v.  
 16 ADT Security Services, Inc.,  
 17 Defendant.

18 Case No. C 08-02157 EMC

19  
 20 **JOINT STIPULATION TO EXTEND  
 21 DEFENDANT'S TIME TO RESPOND  
 22 TO PLAINTIFF'S COMPLAINT;  
 23 DECLARATION OF ALISON A.  
 24 FISCHER IN SUPPORT OF  
 25 STIPULATION; AND [PROPOSED]  
 26 ORDER EXTENDING TIME TO  
 27 RESPOND FILED CONCURRENTLY  
 28 HEREWIT**

19  
 20 WHEREAS Plaintiff filed its Complaint in this action in the Superior Court of the  
 21 State of California in and for the County of Contra Costa on February 25, 2008 and  
 22 service was affected on March 26, 2008;

23 WHEREAS Defendant, ADT Security Services, Inc. ("ADT") filed its Notice of  
 24 Removal in the United States District Court for the Northern District of California on  
 April 25, 2008;

25 WHEREAS pursuant to Federal Rule of Civil Procedure 81(c) ADT's responsive  
 26 pleading is due to the Court on or before May 2, 2008;

27 WHEREAS the parties wish to preserve the resources of the Court and require

28  
 STIPULATION TO EXTEND  
 DEFENDANT'S TIME TO RESPOND  
 C08-02157

1 additional time to have the opportunity to meet and confer regarding Plaintiff's intention  
2 to file a Motion to Remand and ADT's responsive pleading;

3  
4 Pursuant to Federal Rule of Civil Procedure 6(b), the parties hereby stipulate to and  
5 hereby request an extension of time of 20 days for ADT to answer or otherwise respond to  
6 Plaintiff's Complaint. An extension of time of 20 days would have no affect on any  
7 scheduled events in this case. This is the first such extension requested in this case.

8 Dated: May 2<sup>nd</sup>, 2008

9  
10 ALEJANDRO N. MAYORKAS  
GRANT B. GELBERG  
ALISON A. FISCHER  
O'MELVENY & MYERS LLP

11  
12 By: Alison Fischer  
13 Alison A. Fischer  
14 Attorneys for Defendant  
ADT Security Services, Inc.

15 Dated: May 2<sup>nd</sup>, 2008

16 ROBERT J. KOCHLY, District Attorney  
17 LAUREN R. WIXSON, Deputy District  
18 Attorney

19 By: Lauren R. Wixson  
20 Lauren R. Wixson  
21 Attorneys for Plaintiff  
22 People of the State of California

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 13 ADT Security Services, Inc.  
 14  
 15  
 16

17 **UNITED STATES DISTRICT COURT**  
 18 **NORTHERN DISTRICT OF CALIFORNIA**

19 People of the State of California,  
 20 Plaintiff,  
 21  
 22 v.  
 23 ADT Security Services, Inc.,  
 24 Defendant.

25 Case No. C 08-02157 EMC

**DECLARATION OF ALISON A.  
 FISCHER IN SUPPORT OF PARTIES'  
 JOINT STIPULATION TO EXTEND  
 TIME TO RESPOND TO COMPLAINT**

26 I, ALISON A. FISCHER, declare and state as follows:

27 1. I am an attorney in the law firm of O'Melveny & Myers LLP, counsel for  
 28 Defendant ADT Security Services, Inc. ("ADT") in this action, and am admitted to  
 practice before the courts of this State. I submit this Declaration in support of the parties'  
 Joint Stipulation to Extend Time to Respond to Plaintiff's Complaint. If called as a  
 witness, I could and would testify competently to the facts set forth in this Declaration.

29 2. Plaintiff filed its Complaint in this action in the Superior Court of the State  
 30 of California in and for the County of Contra Costa on February 25, 2008 and service was  
 31 affected on March 26, 2008.

32 3. ADT filed its Notice of Removal in the United States District Court for the  
 33 Northern District of California on April 25, 2008. Pursuant to Federal Rule of Civil

1 Procedure 81(c) ADT's responsive pleading is due to the Court on or before May 2, 2008.

2 4. The parties wish to preserve the resources of the Court and therefore request  
3 additional time to have the opportunity to meet and confer regarding Plaintiff's intention  
4 to file a Motion to Remand and ADT's responsive pleading.

5 5. The parties request a 20 day time extension for ADT to answer or otherwise  
6 respond to Plaintiff's Complaint.

7 6. The 20 day time extension would have no affect on any scheduled events in  
8 this case.

9 7. This is the first such extension requested in this case.

10 I declare under penalty of perjury that the foregoing is true and correct.

11 Executed in Los Angeles, California, on the 2nd day of May, 2008.

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14 Dated: May 2, 2008 O'MELVENY & MYERS LLP

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By: /s/ Alison A. Fischer

Alison A. Fischer

Attorneys for Defendant ADT Security Services, Inc.

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 8 ADT Security Services, Inc.

9 **UNITED STATES DISTRICT COURT**  
 10 **NORTHERN DISTRICT OF CALIFORNIA**

12 People of the State of California,  
 13 Plaintiff,  
 14 v.  
 15 ADT Security Services, Inc.,  
 16 Defendant.

Case No. C 08-02157 EMC

**[PROPOSED] ORDER EXTENDING  
DEFENDANT ADT'S TIME TO  
RESPOND TO PLAINTIFF'S  
COMPLAINT**

17  
 18 On May 2, 2008, the parties in the above captioned action filed a Stipulation to  
 19 Extend Defendant's Time to Respond to Plaintiff's Complaint pursuant to Federal Rule of  
 20 Civil Procedure 6(b). Having considered the parties' stipulation, and good cause having  
 21 been shown, the parties' request for an extension of time of twenty (20) days for  
 22 Defendant ADT Security Services, Inc. ("ADT") to answer or otherwise respond to  
 23 Plaintiff's Complaint is GRANTED. ADT shall file its response on or before May 22,  
 24 2008.

25 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

26 Dated: \_\_\_\_\_

27  
 28 THE HONORABLE EDWARD M. CHEN  
 United States Magistrate Judge

[PROPOSED] ORDER EXTENDING  
DEFENDANT'S TIME TO RESPOND  
C08-02157

**PROOF OF SERVICE**

1 I, Robin Hammond, declare:

2 I am a resident of the State of California and over the age of eighteen years,  
 3 and not a party to the within action; my business address is 400 South Hope Street, Los  
 4 Angeles, California 90071-2899. On May 2, 2008, I served the within documents:

5 JOINT STIPULATION TO EXTEND DEFENDANT'S TIME TO  
 6 RESPOND TO PLAINTIFF'S COMPLAINT; DECLARATION  
 7 OF ALISON A. FISCHER IN SUPPORT OF STIPULATION;  
 AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND  
 FILED CONCURRENTLY HEREWITH

8  by placing the document(s) listed above in a sealed envelope with postage  
 9 thereon fully prepaid, in the United States mail at Los Angeles, California  
 addressed as set forth below. I am readily familiar with the firm's practice of  
 10 collecting and processing correspondence for mailing. Under that practice it  
 would be deposited with the U.S. Postal Service on that same day with  
 11 postage thereon fully prepaid in the ordinary course of business. I am aware  
 12 that on motion of the party served, service is presumed invalid if the postal  
 cancellation date or postage meter date is more than one day after date of  
 deposit for mailing in affidavit.

13 Lauren R. Wixson, Deputy District Attorney  
 14 627 Ferry Street  
 Martinez, CA 94553-0125  
 15 Phone: (925) 646-4532  
 16 Fax: (925) 646-4683

17 I declare under penalty of perjury under the laws of the United States that  
 the above is true and correct.

18 Executed on May 2, 2008, at Los Angeles, California.



21 22 23 24 25 26 27 28  
 Robin Hammond